



Docket No.: PB340P2C2
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Choi et al.

Application No.: 09/765,272

Group Art Unit: 1645

RECEIVED

Filed: January 22, 2001

Examiner: P. Duffy

JUN 13 2003

For: Streptococcus pneumoniae Antigens and
Vaccines

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Linda
6/24/03

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of a claim of the subject application, Attorney for Applicants hereby directs the Examiner's attention to references A and B listed on the attached Form SB/08. Copies of the references are enclosed. Reference B is a European Search Report which lists Reference A and other references. A copy of Reference A is provided; however, copies of the other references listed on the European Search Report are not provided because they either are already of record in this case, or were listed on the International Search Report in the corresponding PCT application but are not relevant to the currently pending claims.

The listed references are presented so that the Patent and Trademark Office can determine any materiality thereof to the claimed invention. See 37 C.F.R. § 1.104(a) concerning the Examiner's duty to consider and use any such information. Applicants respectfully request that the Examiner make the listed references of record in the file history of the application, and consider the information contained therein during the prosecution of this application.

Identification of the listed references is not to be construed an admission of any individual associated with the filing or prosecution of the subject application that such references are available as "prior art" against the subject application. Furthermore, Applicants do not waive any rights to take appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the subject application.

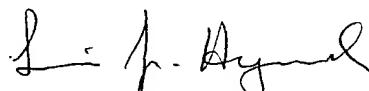
Pursuant to 37 C.F.R. § 1.97(c), since this Supplemental Information Disclosure Statement is being filed after the mailing date of a first Office Action on the merits, but before the mailing date of a Final Office Action, or a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution, the Patent and Trademark Office will consider this Supplemental Information Disclosure Statement if it is accompanied by a statement as specified in 37 C.F.R. § 1.97(e) or the fee as specified in 37 C.F.R. § 1.17(p).

Accordingly, the undersigned certifies pursuant to 37 C.F.R. § 1.97(e)(1) that each item of information contained in this Supplemental Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Supplemental Information Disclosure Statement. In particular, the listed references were cited in a European Search Report (reference B) mailed May 12, 2003, in connection with a corresponding international application.

Applicant believes that no fee is due in connection with this submission. However, should the Patent & Trademark Office determine otherwise, please charge such fee to our Deposit Account No. 08-3425.

Dated: June 12, 2003

Respectfully submitted,

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